

R710. Public Safety, Fire Marshal.

R710-13. Reduced Cigarette Ignition Propensity and Firefighter Protection Act.

R710-13-1. Adoption, Title, Purpose, and Prohibitions.

Pursuant to Section 53-7-407, Utah Code Annotated 1953, the Utah Fire Prevention Board adopts minimum rules for the enactment of the Reduced Cigarette Ignition Propensity and Firefighter Protection Act.

R710-13-2. Definitions.

- 2.1 "AG" means Attorney General
- 2.2 "Board" means Utah Fire Prevention Board.
- 2.3 "NFPA" means National Fire Protection Association.
- 2.4 "SFM" means State Fire Marshal or authorized deputy.
- 2.5 "Tax Commission" means the Utah State Tax Commission.
- 2.6 "UCA" means Utah State Code Annotated 1953 as amended.

R710-13-3. Certification and Product Change.

3.1 As required in UCA 53-7-404(1), accepted alternative test methods of other states that are equal to or stricter performance standards as allowed in UCA 53-7-403(4), may also be accepted as meeting the standards established in the statute.

3.2 If the SFM intends to remove a brand from the certified list, it will send a notice of intent to deny to the manufacturer. The notice of intent shall include the following:

3.2.1 The factual and legal deficiencies upon which the SFM intended action rests.

3.2.2 The actions the manufacturer must take to satisfy the factual or legal deficiencies upon which the intended action is based.

3.2.3 The notification that the manufacturer shall have 15 working days to cure the deficiencies and submit documentation or other information to correct the deficiencies. The SFM may extend the time period for a manufacturer to cure the deficiencies.

R710-13-4. Implementation and Inspection.

4.1 As required in UCA 53-7-404(3), 53-7-405(6)(c), 53-7-407(2), and 53-7-408, the SFM, AG, and the Tax Commission will cooperate to produce a list or lists of cigarette brands that are legal for sale under any and all statutes of the State of Utah.

R710-13-5. Adjudicative Proceedings.

5.1 Adjudicative proceedings performed by the agency shall proceed informally as authorized by UCA, Sections 63G-4-202 and 63G-4-203.

KEY: fire safe cigarettes

Date of Enactment or Last Substantive Amendment: November 24, 2008

Authorizing, and Implemented or Interpreted Law: 53-7-407